

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6688**

**BILL NUMBER:** HB 1105

**NOTE PREPARED:** Dec 28, 2005

**BILL AMENDED:**

**SUBJECT:** Gasoline Prices.

**FIRST AUTHOR:** Rep. Cheney

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State

**Summary of Legislation:** This bill provides that it is a deceptive act for a gasoline dealer to sell gasoline for a price that is higher than the price posted on a sign used by the dealer.

**Effective Date:** July 1, 2006.

**Explanation of State Expenditures:** The Attorney General may bring an action to enjoin a deceptive act. However, it is unlikely that adding selling gasoline for a price that is higher than the price posted on a sign used by the dealer as a deceptive act will increase expenditures incurred by the Attorney General, unless the violation is wide-spread. The fund affected is the state General Fund.

**Explanation of State Revenues:** Civil penalties that may be assessed for deceptive acts range from \$5,000 to \$15,000 per violation, depending upon the situation of the particular case. The fund affected is the state General Fund.

**Background Information:** The following can be recovered by individuals who are victims of deceptive acts. A person relying upon an uncured or incurable deceptive act may bring an action for the damages actually suffered as a consumer as a result of the deceptive act or \$500, whichever is greater. The court may increase damages for a willful deceptive act in an amount that does not exceed the greater of three times the actual damages of the consumer suffering the loss, or \$1,000. Attorney fees may be awarded as well.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Attorney General.

**Local Agencies Affected:**

**Information Sources:**

**Fiscal Analyst:** James Sperlik, 317-232-9866.